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SUBJECT: ANOTHER PRESIDENTIAL NOMINEE BITES THE DUST

11. (SBU) Summary: With raw Malawian power politics on full display, Parliament rejected the President's nominee for Auditor General on March 13. The rejection, the latest in a string of high profile presidential nominees to be refused, comes as a result of government's inept management of parliament as much as from its political weakness. The lack of an Auditor General continues to hamper the effectiveness of a number of activities in Malawi's Millennium Challenge Account Threshold Plan. End Summary.

12. (SBU) Voting along party lines, the opposition sent a clear message to the plurality government regarding its weakness in parliament. The nominee's fate seemed clear on March 9 when Deputy Minister of Education Roy Commsy--one of Parliament's youngest MPs--shouted at Leader of Opposition John Tembo during debate on the confirmation, yelling that government didn't "need the opposition." This comment provoked Tembo, who proceeded with a brutal demonstration of who is in charge.

13. (SBU) Tembo's party had voiced concerns publicly over nominee Steven Mchenga's qualifications, and privately over Mchenga's Southern Malawi origins (Tembo's Malawi Congress Party is regionally based in Central Malawi). However both Tembo and United Democratic Front (UDF) leader George Mtafu took Commsy's comment as a direct insult. The UDF, which had quietly been willing to support the nomination, quickly changed sides and announced its opposition to the nomination. Tembo's Malawi Congress Party (MCP) and the UDF combined for one hundred and three votes against the nomination, with the government only able to muster sixty-one votes in favor.

14. (SBU) The government will now be forced to come up with another candidate for the position, which fell vacant in January of 2006 upon the death of the previous Auditor General. The Auditor General's office has the primary responsibility for auditing all of government's annual budget reports and reporting its findings to Parliament. This has become a crucial role as Parliament seeks to exercise more of its constitutionally mandated oversight of the executive.

15. (SBU) Comment: The government lost this vote primarily due to its lack of organization and discipline, a point which has repeatedly brought trouble in Parliament. Government leaders in Parliament often fail to adequately control or organize the membership, and back-benchers often speak intemperately out of turn, causing problems for their party. While Commsy is certainly to blame, in the end this comes down to poor management by the Leader of the House,

Henry Chimunthu-Banda. His relaxed, almost lackadaisical style fails to serve his party well, and sometimes, such as in this instance, leading directly to self-inflicted wounds.

¶6. (SBU) At a functional level, the continued lack of an Auditor General hinders the implementation of parts of Malawi's Millennium Challenge Threshold Country Plan, which includes over \$500,000 of program support to the National Audit Office (NAO). Without an Auditor General, the NAO cannot officially release its annual audit report of the government budget. This creates a serious problem for parliamentary oversight, as Parliament cannot analyze issues with past budgets without this information. The NAO should play a significant role in ensuring the fiscal responsibility of the Government of Malawi. However, the office has been historically weak and faces problems retaining qualified staff. The continued lack of an Auditor General will make solving this problem, and achieving some NAO goals set out in the MCC Threshold Plan, difficult to achieve in the short term. End Comment.

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